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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,106	04/18/2006	Lodewijk Van Noten	TYRP0008	5652
27268	7590	01/24/2008	EXAMINER	
BAKER & DANIELS LLP			NGUYEN, CHAU N	
300 NORTH MERIDIAN STREET				
SUITE 2700				
INDIANAPOLIS, IN 46204				
			ART UNIT	PAPER NUMBER
			2831	
			MAIL DATE	DELIVERY MODE
			01/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/576,106

Applicant(s)

VAN NOTEN ET AL.

Examiner

Chau N. Nguyen

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-16 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-13 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/18/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features of "the gland body comprising two or more gland body parts that are hingedly secured one to another" as claimed in claim 8 and "a fastener for selectively fastening the gland body parts in the annular configuration" as claimed in claim 9 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may

be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 1, 2, 4-6, 9, 11, 14 and 15 are objected to because of the following informalities:

in claim 1, line 10, change "a said" to --said--,

in claim 2, lines 1-2, change "a plurality of the recesses and a corresponding plurality of the formations" to --the number of said recesses corresponding to the number of said formations--,

in claim 4, line 2, change "a said" to --said--,

in claim 5, line 1, change "comprising at least one" to --wherein-- and change "projecting" to --projects--,

in claim 6, line 1, delete "the or",

in claim 9, line 2, delete "the",

in claim 11, lines 1-2, change "the or a said recess" to --the one or more recesses-- and in lines 2-3, change "the said" to --said--,

in claim 14, line 11, change "a said" to --said--,

in claim 14, line 18, change "or each cable" to --one or more cables--,

in claim 14, line 19, change "or each said cable" to --one or more cables--,

in claim 14, lines 22-23, change "or each said cable" to --one or more cables--, and

in claim 15, line 2, change "or each said cable" to --one or more cables--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 7, and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ance (3,569,608).

Ance (Figures 1 and 7) discloses a gland for supporting one or more cables, comprising: an annular gland body (9) defining a hollow passage that is open at

either end; and a core that is insertable into and removable from the passage via at least one open end thereof, the core comprising at least two moveable compression members (15 and 16) that are spaced from one another; a resiliently deformable member (21a) lying between the compression members; and a selectively operable actuator (14) for selectively moving the compression members towards one another to compress the resiliently deformable material and cause it to bulge outwardly of the compression members, at least one of the core and the passage comprising defined therein one or more recesses for supporting a cable inserted in the passage, and the annular gland body comprising one or more formations (Figure 1) to which said cable inserted into the passage is securable thereby to permit insertion and removal of the core relative to the gland body without dislodging any said cable already inserted in the gland (re claim 1). Ance also discloses that the number of the recesses corresponds to the number of the formations (re claim 2), the gland body is circular in cross section and the recesses are in a circular pattern that is generally concentric with the gland body when viewed in cross section (re claim 3), each formation includes a protuberance (3) projects from the open end of the gland body (re claim 4), a layer of resiliently deformable material on the inner surface of the hollow passage (re claim 7), a rod is received in one or more said recesses (re claim 10), a flexible, elongate member

received in the one or more recesses and secured by a fastener (4) to at least one formation, the core being received in said hollow passage and the compression members compressing the resiliently deformable member to cause it to bulge outwardly of the compression members into sealing engagement with the flexible, elongate member (re claim 11), the one or more said cables being inserted and secured therein (re claim 12), and the gland is profiled as an inlet or outlet of a cable splice housing (re claim 13).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ance in view of Chen (GB 2262392).

Claims 8 and 9 additionally recite the gland body comprising two or more body parts hingedly secured one to another by a fastener. Chen discloses a gland body (1) comprising two or more body parts hingedly secure to one another by a

fastener. It would have been obvious to one skilled in the art to modify the gland body of Ance to comprise two or more body parts hingedly secured to one another by a fastener as taught by Chen to provide access to the core and the splice.

Allowable Subject Matter

7. Claims 14-16 are allowed.
8. Claims 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or suggest a gland comprising all the features as recited in the claims and in combination the protuberance projecting from each open end of the gland body (re claim 5), with the core and the passage together defining each recess (re claim 6), and with the one or more cables lying on or adjacent the exterior of the core (re claim 14).

Contact Information

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N. Nguyen whose telephone number is 571-272-1980. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutiérrez can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Chau N Nguyen', with a stylized, cursive script.

Chau N Nguyen
Primary Examiner
Art Unit 2831